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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Allen *et al.*

SERIAL No.: 09/876,707

FILED: June 7, 2001

FOR: THERAPEUTIC LIPOSOME COMPOSITION
AND METHOD OF PREPARATION

EXAMINER: Kishore

ART UNIT: 1615

CONF. No.: 1073

Response Under 37 C.F.R. §1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office action dated April 24, 2002 in the above-identified application, Applicants provide the following remarks.

REMARKS

Claims 21-32 and 57-81 are pending in the application. Claims 21-32 and 57-81 have been rejected. Reconsideration and withdrawal of the rejections in light of the following remarks are respectfully requested.

Submitted with this response is a copy of provisional application serial no. 60/028,269, a Request for Continued Examination, and a Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. §1.137(b).

I. **Rejection under 35 U.S.C. §102**

Claims 21-25, 60, and 71 were rejected under 35 U.S.C. §102(a) or (b) as allegedly anticipated by Torchilin *et al.* (U.S. Patent No. 5,534,241). These rejections are respectfully traversed for the following reasons.

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